



CITY OF FRISCO

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Memorandum

To: Honorable Mayor and City Council Members

From: Michael L. Walker, AICP, Senior Planner

XC: George Purefoy, City Manager
John Lettelleir, AICP, Director of Development Services

Date: December 15, 2009

Re: Diagnostic Report

At the November 17, 2009 City Council meeting, Council directed staff to provide further detail on what changes were being recommended to the Diagnostic Report based on the joint work session and the Planning & Zoning Commission's recommendations. Below are resolutions on each specific item, numbered to correspond directly to the recommendations in the Diagnostic Report. Items that received general consensus by Council, the Planning & Zoning Commission, and the Zoning Advisory Committee are labeled "accept as is". Changes listed below are to be addressed in the "recommendation" portion of each numbered item in the Diagnostic Report. It is important to note that the recommendations in the Diagnostic Report are intended solely to provide policy direction to the Consultants in preparation of the draft Zoning Ordinance. The basic concepts outlined in the Diagnostic Report will be reviewed in full detail in subsequent phases of the Zoning Ordinance update.

1. Update Style, Numbering, and Page Layout – Accept as is.
2. Consolidate and Clarify Definitions – Accept as is.

3. Use State Definitions for State Regulated Businesses – Include minor wording change to include references to State laws as they exist or may be amended.
4. Rename Single Family Districts and Update Purpose Statements – Accept as is.
5. Consider Consolidating Single Family Districts – Item not supported. Do not move forward with the policy.
6. Develop Alternatives to the Minimum Lot Size Requirement – In lieu of “replacing” the minimum lot size, create additional development criteria based on dwelling units per acre (density). Also include an equivalency table such as the following example:

Zoning District	Density (dwelling units/acre)
Residential Estate (RE)	0.66
Single Family-1 (SF-1)	1.79
Single Family-2 (SF-2)	2.29
Single Family-3 (SF-3)	2.87
Single Family-4 (SF-4)	3.38
Single Family-5 (SF-5)	4.11
Patio Home (PH)	4.89

7. Review and Update Zoning District Purpose Statements – Accept as is.
8. Review Setbacks for all Zoning Districts – Do not use percentages, use specific measurements.
9. Review Lot Size, Width, and Depth Requirements for all Zoning Districts – Accept as is.
10. Reduce the Minimum Dwelling Area (House Size) Requirement - Several City Council members expressed concern about going to a smaller minimum house size and the impact on property values that a smaller house would have on existing houses in a subdivision. After further discussion, there was a general consensus to establish a minimum house size that was larger than the 800 square-feet proposed in the Diagnostic; however, no consensus was made on what the minimum should be. Staff will research other cities and consult with the City Attorney’s office prior to preparation of the draft ordinance. Staff’s concern with the current minimum house size has always been about the perception of exclusionary zoning practices. Staff recommends moving forward with the reduction of the minimum house size.

11. Require Housing Integration – Replace “require” with “promote” or “encourage”.
12. Adjust Height Restrictions within Non-Residential Zoning Districts – Replace “adjust” with “explore”.
13. Amend OTC (Original Town Commercial) District to Allow for Greater Functionality – Add wording to include Downtown Advisory Committee during development of the standards.
14. Parking within OTC District – Accept as is.
15. Promote “Usable Open Space” in the Front and Side Yards – Clarify that this section applies to non-residential development. Replace “yard” with “setback”. Explore creating criteria to allow detention to count towards required open space.
16. Develop and Open Space Section – Accept as is.
17. Combine Existing Non-Residential Zoning Districts – Accept as is.
18. Reduce the Amount of Specific Use Permits (SUPs) within the Use Chart – Change title to replace “reduce” with “evaluate”.
19. Add the Tollway Overlay District to the Use Chart – Accept as is.
20. Add Section Regarding Alternative Energy – Accept as is.
21. Use Chart and Definitions – Accept as is.
22. Shared and Maximum Parking Standards – Accept as is.
23. Masonry Requirements/Cementitious Fiber Board Siding – Accept as is.
24. Landscape Edge Requirements – Accept as is.
25. Residential Driveway Standards – Reword recommendation to include working with the Frisco Developers Council to create acceptable standards where possible.

26. Cluster Development – Change recommendation to remove percentage of bonus and clarify that the cluster option is implemented through the platting process.
27. Open Storage and Screen Requirements – Accept as is.
28. Alternative Subdivision Design Procedure – Accept as is.
29. Move the TIA (Traffic Impact Analysis) into the TSO (Thoroughfare Standards Ordinance) – Accept as is.
30. Façade Review Procedures – Accept as is.
31. Sustainable Placemaking and Concepts from the Form Based Code – Accept as is.
32. Creek Density Bonus – Clarify in the recommendation that this is an incentive to a requirement that already exists in the Subdivision Ordinance.
33. Variance Procedures – Accept as is.
34. Non-Conforming Uses and Structures – Accept as is.
35. Amortization of Non-Conforming Uses and Structures - Council members did not support having an amortization section in the Ordinance if they could not be the body that initiates the process. Staff has discussed this with the City Attorney's office and Legal has indicated that the ordinance can be written to grant City Council the sole authority to initiate the amortization process. Staff recommends providing a mechanism for amortization in the Zoning Ordinance with City Council initiation.
36. Vested Rights Application – Clarify in the recommendation that State law does not adequately define the process of vesting.
37. General Procedures – Include flow charts.

Response to FDC comments

We will continue to work with the FDC and understand that they will be an active participant in the preparation of the draft Zoning Ordinance. Staff acknowledges their concerns and looks forward to working with them on solutions that both address

their concerns as well as meet the goals of the Comprehensive Plan. As we proceed with the draft Zoning Ordinance, staff will await their responses on:

1. Review Setbacks for all zoning districts;
2. Review lot size, width, and depth requirements for all zoning districts;
3. Housing Integration;
4. Residential Driveway standards;
5. Sustainable place-making and concepts from the Form Based Code;
6. Amortization; and
7. Vested rights application.